

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

No. 11 of 2019

President Judge Administrative Order

In re: ELECTION DAY JUDICIAL ASSIGNMENTS
2019 General Election - Tuesday, November 5, 2019

ORDER

AND NOW, this 9th day of August, 2019, the following Election Court assignments are made, which shall supersede other assignments, during the scheduled Election Court hours only.

No substitutes will be provided by the President Judge. In the event of a personal emergency, the assigned judges must arrange for substitutes with any judge not assigned herein. However, judges assigned to the criminal list room program should not sit in Election Court in lieu of their list room assignments. If substitutions are made, the information must be provided to the Office of the President Judge as soon as possible.

I. PETITIONS TO WITHDRAW. Any Petition filed after August 12, 2019 by or on behalf of a candidate nominated at the Primary for leave to withdraw the candidate's name shall be filed with the Office of Judicial Records and shall be assigned to President Judge Idee C. Fox or her nominee.

II. CENTRAL ELECTION COURT - Courtroom 676 City Hall

Courtroom 676 City Hall will be the central location for all records of the Registration Division, Board of Elections and the Office of Judicial Records (formerly "Prothonotary") on November 5, 2019. Central Election Court will convene at 7:00 AM and will remain open continuously until 10:00 PM (Phone: 215-686-7357).

Judges assigned to the Central Election Court will have jurisdiction over all election matters, and shall, as provided in 25 P.S. § 3046:

act as a committing magistrate for any violation of the election laws;

settle summarily controversies that may arise with respect to the conduct of the election;

issue process, if necessary, to enforce and secure compliance with the election laws;
decide such other matters pertaining to the election as may be necessary to carry out the intent of the Election Code; and

when an individual is seeking a judicial order to vote, shall inform the individual of the provisional ballot process set forth in 25 P.S. § 3050. Section 3050 provides, *inter alia*:

- an individual who claims to be properly registered and eligible to vote at the election district but whose name does not appear on the district register and whose registration cannot be determined by the inspectors of election or the county election board shall be permitted to cast a provisional ballot.
- Prior to voting the provisional ballot, the elector shall be required to execute an affidavit which must be signed by the voter, the Judge of Election and minority inspector.
- After the provisional ballot has been cast, the individual shall place it in a secrecy envelope. The individual shall place the secrecy envelope in the provisional ballot envelope and shall place his signature on the front of the provisional ballot envelope.

No judge who is not assigned to Central Election Court shall take any action with respect to any election matter, unless prior approval is obtained from the President Judge. The assigned Central Election Court Judges shall provide their personal tipstaff to assist them in their Election Day duties.

	<u>Judge</u>	<u>Court Reporter</u>
7 AM to 2:30 PM	Honorable Lucretia Clemons	Dana Foschini
2:30 PM to 10 PM	Honorable Zachary C. Schaffer	Jared Bittner

III. STANDBY ASSIGNMENTS

Judges with standby assignments may only be called upon by the President Judge to preside in Central Election Court, 676 City Hall in the event of unforeseen events. All of the standby judges must be available between the hours of 7 AM and 10 PM either in their chambers or at home.

Honorable Charles A. Ehrlich
Honorable Daine Grey, Jr.
Honorable Susan I Schulman

IV. ELECTION BOARD PETITIONS

Petitions to Fill Vacancies in Election Boards (judge of election, majority inspector, minority inspector) must be electronically filed no sooner than August 12, and no later than 3:00 p.m. on Wednesday, October 16, 2019 through the Court’s electronic filing website at: www.philacourts.us or www.courts.phila.gov pursuant to Pa.R.C.P. No. 205.4 and Philadelphia Civil Rule *205.4. Assistance with electronic filing shall be provided through the Office of Judicial Records (formerly “Prothonotary”), Room 296 City Hall, Philadelphia, PA. 19107

The Petitioner shall serve the City Commissioners and the Democratic/Republican City Committees, as applicable, as provided in the Order to Show Cause.

A hearing on the *Petitions to Fill Vacancies in Election Boards* will be held in Courtroom 513 City Hall, Philadelphia, PA on Wednesday, October 23, 2019, at 10:00 a.m., President Judge Idee C. Fox or her designee presiding. Unless terminated earlier as provided by law, the term of office of any person appointed to fill a vacancy in the Election Board shall continue for the remainder of the vacancy.

V. EMERGENCY APPLICATIONS FOR ABSENTEE BALLOT

As provided by Act 137 of 2006 (see 25 P.S. §3146.2a), Electors who become physically disabled or ill, or due to business reasons are absent from Philadelphia after 5:00 PM Friday, November 1, 2019 and until 8:00 PM on Election Day November 5, 2019 may request an Absentee Ballot if the Elector or the Elector's Authorized Representative completes and files with the Court of Common Pleas "an Emergency Application" (or a letter or other signed document which includes the same information as is provided in the Emergency Application) as follows:

- 1) Only the Elector or his/her Authorized Representative can file the Emergency Application and attend the hearing scheduled on the Application.
- 2) **Emergency Applications filed with the Court during non-court hours will be scheduled and heard on the next business day.**
- 3) **Monday, November 4, 2019.** The elector or the elector's Authorized Representative may request an **Emergency Application for Absentee Ballot** between 9:00 AM to 5:00 PM as follows:
 - a) bring the completed Emergency Application form (and if you are applying on behalf of the Elector, the Elector's Authorized Representative form) to the City Commissioners' Office, Room 142 City Hall. The Election Voter Registration Clerk will determine whether the Elector is otherwise qualified to vote, and if so, will direct the person to the ***Office of Judicial Records*** (heretofore the "*Prothonotary*") for filing the Application;
 - b) bring the documentation provided by the Election Voter Registration Clerk to the ***Office of Judicial Records*** (heretofore the "*Prothonotary*") in Room 296 City Hall. The Application will be filed, a hearing will be scheduled, and a Scheduling Order with the date, time and place of the hearing will be given to the filer. The Office of Judicial Records will send a copy of the Scheduling Order to the Election Voter Registration Clerk; and
 - c) the Elector or Authorized Representative must appear on the scheduled hearing date, and after the hearing, the Election Judge will issue an Order. If the Application is granted, the Elector or Authorized Representative will be given the absentee ballot. Election Staff personnel will be available to answer any questions.

4) **Tuesday, November 5, 2019.** The elector or the elector's Authorized Representative may request an **Emergency Application for Absentee Ballot** between 7:00 AM and 8:00 PM provided in Section 3, above.

5) The required forms are available from: **the County Board of Elections**, Room 142 City Hall; the **Office of Judicial Records** (formerly the "*Prothonotary*") in Room 296 City Hall; and the Court's website: <http://www.courts.phila.gov/forms>.

VI. OFFICIAL ELECTION COUNT

The official election count will commence on Friday, November 8, at 9:00 a.m., at Riverview Place, 6th Floor, Delaware Avenue and Spring Garden Street, Philadelphia, Pennsylvania.

*This Election Schedule is available on the First Judicial District Web Site at:

<http://www.courts.phila.gov>.

BY THE COURT:

/s/ Idee C. Fox

**Honorable Idee C. Fox, President Judge
Court of Common Pleas**